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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,098	01/14/2002	Andrew Lewis Schirmer	23452-502	6733

29315 7590 01/25/2005

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EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/043,098	SCHIRMER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Anh Ly	2162	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-10,13-16 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-10,13-16 and 19-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is response to Applicants' Amendment filed 08/10/2004.
2. Claims 6, 11-12, 17-18 and 23-24 are cancelled.
3. Claims 1-5, 7-10, 13-16, and 19-22 are pending in this Application.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2162

6. Claims 1-5, 7-10, 13-16 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,169,986 issued to Bowman et al. (hereinafter Bowman) in view of US Patent No. 6,012,053 issued to Pant et al. (hereinafter Pant), and further in view of US Patent No. 6,748,376 issued to Beall et al. (hereinafter Beall).

With respect to claim 1, Bowman teaches presenting a graphical user interface to a user (a graphical user interface presenting to users from which who can enter the search query and users enable to refine the search query: see fig. 2, col. 6, lines 7-30; also see col. 3, lines 52-60 and col. 4, lines 32-52 and abstract);

enabling a user to selectively input search parameters into a first search query using the graphical user interface (see fig. 2, the user is enabling to select the search parameters such as author, title, subject, ISBN), and date);

receiving the search query (see fig. 2, the search query is received via the entry box);

searching at least one database for objects that satisfy the search query (bibliographic database to be searched: col. 5, lines 40-52; also see col. 3, lines 15-22);

determining whether at least one object stored in the database satisfies the search query (see fig.2 and fig. 1, item 133, bibliographic database storing information of titles, authors, publishers, subjects description and ISBNs: col. 5, lines 40-52);

determining at least one search refinement option based on the type of information determined (refining search queries for reflecting the user's intended request: col. 4, lines 32-67 and col. 5, lines 1-6; also see col. 1, lines 35-67).

Bowman teaches a method or system of facilitating the refinement of search queries, receiving a search query from a user submitting via GUI as shown in fig. 2, identifying the refined search queries (col. 3, lines 52-60), display the search result as shown in fig. 3, from GUL search screen, user is enabling to select or pick some search parameters such as titles, author, publisher or ISBN. Bowman does not clearly teaches parameters of the user input interface, retrieving a search result comprising the at least one object if a determination is made that the at least one object satisfies the search query, and determining a type of information included in the at least one object. And further Pant teaches there are several parameters of the user input interface to vary the relevance factors from which the user may manipulate them (col. 8, lines 12-36), the search result from the searching or retrieving is provided to the user (see abstract, figs. 7-9 , and col. 13, lines 8-32) and type of information is based on the selected object, see fig. 5, col. 8, lines 62-67 and col. 9, lines 1-8). In combination, Bowman and Pant also do not clearly teach the type of information of search and the second search query comprising the at least one search refinement option.

However, Beall teaches after the first search, the logic box of 124 in fig. 2(b) checking the number of hits then refining the search query with a list of categories to be displayed for user to select after that, the second search will begin (see figs. 2(b), 3 and 4 and col. 6, lines 20-67 and col. 7, lines 1-43).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman in view of Pant with the teachings of Beall, wherein search refinement option via drop down menu

Art Unit: 2162

provided therein (Bowman's col. 14, lines 2-8 and Pant's fig. 6, item 322) would incorporate the user of selection of category to refine search query from a list of categories via user interface by the users, the same conventional manner as disclosed by Beal (col. 6, lines 20-62). The motivation being to narrow down the search results to the target of user interest.

With respect to claim 2, Bowman teaches the step of: presenting the at least one search refinement option to the user (the process of refining of the search query: see figs 2 and col. 3, lines 7-60, col. 4, lines 32-67 and col. 5, lines 1-6).

With respect to claim 3, Bowman teaches wherein the at least one search refinement option is presented in a drop-down menu (drop-down menu: see fig 8, col. 14, lines 2-8; also see Pant's figs 5 and 6, and item 322, col. 9, lines 8-16).

With respect to claim 4, Bowman teaches the step of enabling the user to select the at least one search refinement option (see fig. 2 and col.4, lines 32-67 and col. 5, lines 1-6; also col. 1, lines 35-67).

With respect to claim 5, Bowman teaches the step of enabling the user to input a second search query comprising the at least one search refinement option (a plurality of refined search queries, a search query refinement and a initializing refined search query: col. 3, lines 52-60).

Claim 7 is essentially the same as claim 1 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 1 hereinabove.

Claim 8 is essentially the same as claim 2 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 2 hereinabove.

Claim 9 is essentially the same as claim 3 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 3 hereinabove.

Claim 10 is essentially the same as claim 4 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 4 hereinabove.

With respect to claim 13, Bowman teaches a presenting module that presents a graphical user interface to a user (a graphical user interface presenting to users from which who can enter the search query and users enable to refine the search query: see fig. 2, col. 6, lines 7-30; also see col. 3, lines 52-60 and col. 4, lines 32-52 and abstract);

a search parameter inputting module that enables a user to selectively input search parameters into a first search query using the graphical user interface (see fig. 2, the user is enabling to select the search parameters such as author, title, subject, ISBN), and date);

a receiving module that receives the search query (see fig. 2, the search query is received via the entry box);

a searching module that searches at least one database for objects that satisfy the search query (bibliographic database to be searched: col. 5, lines 40-52; also see col. 3, lines 15-22);

a search query module that determines whether at least one object stored in the database satisfies the search query (see fig.2 and fig. 1, item 133, bibliographic database storing information of titles, authors, publishers, subjects description and ISBNs: col. 5, lines 40-52);

a search query module that determines at least one search refinement option based on the type of information determined (refining search queries for reflecting the user's intended request: col. 4, lines 32-67 and col. 5, lines 1-6; also see col. 1, lines 35-67).

Bowman teaches a method or system of facilitating the refinement of search queries, receiving a search query from a user submitting via GUI as shown in fig. 2, identifying the refined search queries (col. 3, lines 52-60), display the search result as shown in fig. 3, from GUL search screen, user is enabling to select or pick some search parameters such as titles, author, publisher or ISBN. Bowman does not clearly teaches parameters of the user input interface, a retrieving modules that retrieves a search result comprising the at least one object if a determination is made that the at least one object satisfies the search query, and a search query module that determines a type of information included in the at least one object. And further Pant teaches there are several parameters of the user input interface to vary the relevance factors from which the user may manipulate them (col. 8, lines 12-36), the search result from the searching or retrieving is provided to the user (see abstract, figs. 7-9, and col. 13, lines 8-32) and type of information is based on the selected object, see fig. 5, col. 8, lines 62-67 and col. 9, lines 1-8). In combination, Bowman and Pant also do not clearly teach the user



Art Unit: 2162

input a second search query comprising the at least one search refinement option that searches the first search result for objects that satisfy the second query comprising the at least one search refinement option.

However, Beall teaches after the first search, the logic box of 124 in fig. 2(b) checking the number of hits then refining the search query with a list of categories to be displayed for user to select after that, the second search will begin (see figs. 2(b), 3 and 4 and col. 6, lines 20-67 and col. 7, lines 1-43).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Bowman in view of Pant with the teachings of Beall, wherein search refinement option via drop down menu provided therein (Bowman's col. 14, lines 2-8 and Pant's fig. 6, item 322) would incorporate the user of selection of category to refine search query from a list of categories via user interface by the users, the same conventional manner as disclosed by Beal (col. 6, lines 20-62). The motivation being to narrow down the search results to the target of user interest.

With respect to claim 14, Bowman teaches the step of: presenting the at least one search refinement option to the user (the process of refining of the search query: see figs 2 and col. 3, lines 7-60, col. 4, lines 32-67 and col. 5, lines 1-6).

With respect to claim 15, Bowman teaches wherein the at least one search refinement option is presented in a drop-down menu (drop-down menu: see fig 8, col. 14, lines 2-8; also see Pant's figs 5 and 6, and item 322, col. 9, lines 8-16).

Art Unit: 2162

With respect to claim 16, Bowman teaches the step of enabling the user to select the at least one search refinement option (see fig. 2 and col.4, lines 32-67 and col. 5, lines 1-6; also col. 1, lines 35-67).

Claim 19 is essentially the same as claim 1 except that it is directed to a computer-readable medium rather than a method, and is rejected for the same reason as applied to the claim 1 hereinabove.

Claim 20 is essentially the same as claim 2 except that it is directed to a processor-readable medium rather than a method, and is rejected for the same reason as applied to the claim 2 hereinabove.

Claim 21 is essentially the same as claim 3 except that it is directed to a processor-readable medium rather than a method, and is rejected for the same reason as applied to the claim 3 hereinabove.

Claim 22 is essentially the same as claim 4 except that it is directed to a processor-readable medium rather than a method, and is rejected for the same reason as applied to the claim 4 hereinabove.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2162

**Contact Information**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV or fax to (571) 273-4039. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

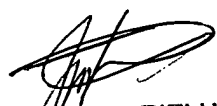
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or Primary Examiner Jean Corrielus (571) 272-4032.


Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Fax Center (703) 872-9306

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER

ANH LY   
JAN. 12th, 2005